IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLIATION NO.1258/06

Sou. Alandibai Eknath Khade .... Applicant

V/s.

Senior Inspector of Police
Vaduj Police Station & Anr. .... Respondent

Shri.U.B. Nighot with M.K. Kocharekar Adv. for the applicant.
Miss.S.U. Gajre APP for the State.

CORAM : V.M. KANADE, J.

DATED : 04/05/06

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant was arrested on 07/09/2005 in connection with C.R.No.88/2005 registered with Vaduj Police Station for the offences punishable U/s.302, 498-A r/w 34 of IPC.

3. It is alleged that the applicant poured kerosene on her daughter-in-law and set her on fire. Deceased in her dying declaration has accused the

present applicant to have committed said offence. Chargesheet has been filed. Apart from dying declaration, there is no evidence to indicate that the said act was committed by the applicant. The applicant is a lady, 50 years old and she is in jail since last 10 months. The applicant has a fixed place of residence. She is not likely to abscond.

4. Under these circumstances, the applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. The applicant shall report to the Vaduj Police Station twice in a month till disposal of the trial.

5. The Trial Court shall not be influenced by any observations made by this Court while deciding the application and it shall not be construed as an expression of opinion on merits of the case and it shall decide the case on its own merit and in accordance with law.

6. The application is accordingly disposed of.

V.M. KANADE J.